

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JAMES MCDONALD,**  
**Plaintiff**

**v.**

**MS. C. GREENE, et al.,**  
**Defendants**

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**No. 1:18-cv-02175**

**(Judge Kane)**

**ORDER**

**AND NOW**, on this 9th day of January 2019, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT:**

1. Plaintiff's motion for leave to proceed in forma pauperis (Doc. No. 2), construed as a motion to proceed without the full prepayment of costs and filing fees, is **GRANTED** and the complaint is deemed filed;
2. Plaintiff's complaint (Doc. No. 1), is **DISMISSED with prejudice** for Plaintiff's failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and without leave to amend as any amendment would be futile. See Shane v. Fauver, 213 F.3d 113, 115 (3d Cir. 2000); and
3. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania